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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/647,284 | 09/27/2000 | Ceki Gulcu | CH9-1999-002 | 5785 |

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EXAMINER

SON, LINH L D

| ART UNIT | PAPER NUMBER |
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2135

DATE MAILED: 05/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/647,284

Applicant(s)

GULCU, CEKI

Examiner

Linh LD Son

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3 and 5.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 16 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim 15. See MPEP § 608.01(n). Accordingly, the claim 16 has not been further treated on the merits.
2. Claim 18 is objected to under 37 CFR 1.75(c) as being in improper form because multiple dependent claims 15 and 16. See MPEP § 608.01(n). Accordingly, the claim 18 has not been further treated on the merits.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 11, and 13-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. Claim 11 recites the limitation "snowball-like way" in describing the propagation of the message. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
7. Claims 1, and 3-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larson (US/581557) in view of Gokcebay et al Hereinafter "Gokcebay" (US/6552650).
8. As per claim 1, Larson discloses the "Homeowner key for an electronic real estate lockbox system" invention, which teaches an electronic lock box includes memory, processor, and a RF transponder and receiver or an electrical contact (Col 1 line 67, and Figure 1) to communicate between the lock and the key, which has the capability to exchange access rights info to the lock, authorizing a key accessing the lock and maintain a log database of other keys and locks accessed (Col 4 lines 5-7, Col 5 lines 3-7, and Col 6 lines 39-44). However, Larson does not teach a memory means of a key being equipped to receive and store information concerning any access rights for said key and information designated for other keys and locks; Nevertheless, Gokcebay does include the feature in the "Coin Collection lock and key" invention, which teach the key also includes a processor, memory, and a communicating module (Col 9 lines 15-34). The key has memory means to receive and store information concerning any access rights for the key and information designated for other keys and locks (Col 4 lines 35-41, Col 9 lines 10-29, and Col 44-59). Therefore, it is obvious at the time of the invention was made for one of ordinary skill in the art to incorporate the teaching of

Larson and Gokcebay to create a portable security system which can be independently operated.

9. As per claim 3, Larson and Gokcebay disclose the access control system according to any of the preceding claims claim 1. Larson teaches key apparatus memory, which maintains a database of lock codes and also accessing time info for a certain lock (Col 3 line 52 to Col 4 line 7). However, Larson does not teach the memory of the lock storing a partial view of the system. Nevertheless, Gokcebay does teach a lock box, which also includes memory means to store an access rights database of users and further maintains a detail access log (Col 4 lines 35-41, Col 9 lines 10-29, and Col 44-59). Therefore, it is obvious at the time of the invention was made for one of ordinary skill in the art to combine both teaching to create a portable and independent security system.
10. As per claim 4, Larson and Gokcebay disclose the access control system according to claims 3, wherein the update triggered by the exchanging means is performed off-line, particularly right after said exchanging means has completed its function (Col 5 lines 3-7)
11. As per claim 5, Larson and Gokcebay disclose the access control system according to any of the preceding claims claim 1, wherein the information designated for other keys and locks includes one or more messages for said other keys and locks and is exchanged off-line between a key and a lock (Col 5 lines 3-7).

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12. As per claim 6, Larson and Gokcebay disclose the access control system according to one or more of the preceding claims claim 1, wherein the means for exchanging information between a lock and a key are activated when said key is engaged with said lock (Col 10 lines 10-48).
13. As per claim 7, Larson and Gokcebay disclose a key for use in an access control system according to any one of the preceding claims claim 1, wherein the memory means includes a read/write section dedicated to the information designated for other keys and locks (Col 10 lines 10-48).
14. As per claim 8 and 10, Larson and Gokcebay disclose the key according to claims 7 and 9, characterized by a power source, preferably being rechargeable when said key is used with a lock (Col 9 lines 25-26)
15. As per claim 9, Larson and Gokcebay disclose a lock for use in an access control system according to claim 1, wherein the memory means includes a read/write section dedicated to the information designated for other keys and locks (Col 4 lines 5-7, Col 5 lines 3-7, and Col 6 lines 39-44).
16. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Larson (US/581557) in view of Gokcebay et al Hereinafter "Gokcebay" (US/6552650), and further in view of Reardon (US/6212635).
17. As per claim 2, Larson and Gokcebay disclose the access control system according to claim 1, wherein the information designated for other keys and locks includes one or more messages

for said keys and locks (Col 4 lines 5-7, and Col 3 lines 22-22). However, Larson and Gokcebay do not teach the information concerning access rights of a key includes one or more tokens. Nevertheless, Reardon does include the teaching of using a token to deliver access right info to a destination (Col 4 lines 12-17) in the "Network security system allowing access and modification to a security subsystem after initial installation when a master token is in place" invention. Since the lock and key have a microprocessor, memory, and a communication module, it is obvious that the computer referred in Reardon's invention can also be the lock and key. Therefore, it is obvious at the time of the invention was made for one of ordinary skill in the art to incorporate the teaching of the token in the lock and key system as a medium to maintain access right information.

18. Claims 11-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gokcebay in view of Reinert et al (US\6347375B1).
19. As per claims 11-12, and 19, Gokcebay discloses the "Coin Collection lock and key" invention, which includes an electronic lock-and-key system and a message transfer to and back to the lock or key (Col 10 lines 10-49). However, Gokcebay do not teach the propagation of the message to an n-th lock or key destination. Nevertheless, Reinert et al disclose the "Apparatus and Method for remote virus diagnosis and repair" invention, which teaches the propagation of the virus to Nth destinations (Co 1 lines 40-50, and Col 2 lines 1-10). The virus can be interpreted as the message. The Storage (memory) devices are the floppy disk, compact disk, and more. The computer also has memory. The floppy is the accessing device to the computer, which analogous to the key accessing the lock. The message (virus) get transferred to the floppy when the using executing a program. The message will then be

transferred in the same manner to another pc or another storage device. The virus remains in the storage device or the pc even after transmitting to the pc or the device. Therefore, it is obvious at the time of the invention was made for one of ordinary skill in the art to combine the lock-and-key system of Gokcebay and Reinert et al's message propagation teaching to updating all devices in the domain with the latest information.

20. As per claims 13-15, 20, 22, and 24, Gokcebay and Reinert et al disclose the method for propagating information according to claim 11 or claim 12, further characterized in that the n-th lock or key produces a confirmation message acknowledging reception of said original message (Reinert et al, Co 1 lines 40-50, and Col 2 lines 1-10).
21. As per claims 18 and 25, Gokcebay and Reinert et al disclose the storage media, further comprising computer readable program instructions for encrypting original messages and confirmation messages using an encryption scheme (Gokcebay, Para 00038).
22. As per claim 16-17, 21, and 23, Gokcebay and Reinert et al disclose the method for propagating information according to any of the claims 11, wherein original messages and confirmation messages, especially those concerning the same lock or key, are ordered, in particular sequentially numbered, and erased from the memory (Reinert et al, Co 1 lines 40-50, and Col 2 lines 1-10).

Conclusion

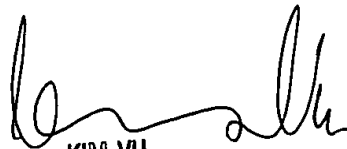
23. Any inquiry concerning this communication from the examiner should be directed to Linh Son whose telephone number is (703)-305-8914 or Fax to 703-746-9821.

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24. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Kim Y. Vu can be reached at (703)-305-4393. The fax numbers for this group are (703)-872-9306 (official fax). Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703)-305-9600.

Linh LD Son

Patent Examiner



KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2133